

## **REMARKS**

### **Status of claims**

Upon entry of the present amendment, claims 1-14 and 17-22 will be pending. Claims 1-14 and 17 will have been amended. Reconsideration of the Office Action of April 22, 2008 is respectfully requested.

### **I. Claim Objections**

The Examiner objected to claims 2-12 regarding the recitation of the limitation "A method ... " in referring to independent claim 1, in their first lines. The Examiner also objected to claim 14 as reciting the limitation "A system ... " in referring to independent claim 13, in its first line. The examiner indicated that the antecedent basis for claims 2-12 and 14 should be corrected to recite "The" rather than "A."

Applicant has corrected claims 2-12 and 14 as required by the Examiner. Accordingly, Applicant respectfully requests reconsideration of the objection to claims 2-12 and 14.

### **I. Rejection under 35 U.S.C. § 102**

The Examiner rejected claims 1-14 and 17-22 under 35 U.S.C. 102(b) as being anticipated by Van Oorshot et al., U.S. Patent Number 6,229,894. The Examiner asserted that Van Oorshot et al. teach the limitations of claims 1-14 and 17-22. Applicant respectfully traverses.

In particular, Van Oorshot et al. do not teach a method or system for monitoring/receiving communication traffic from a network switch that encrypts the communication traffic to create encrypted data, and stores the encrypted data such that the encrypted data can be decrypted only by means of decryption keys that exhibit restricted availability.

Rather, Van Oorshot et al. teach "a method for accessing specific encryption information" (see, Abstract; and col. 2, line 66 – col. 3, line 15), not a system that monitors

communications traffic. In other words, the method of Van Oorshot et al. fails teach or suggest recording or encrypting monitored/received communications traffic. The Van Oorshot et al. system fails to teach or suggest a recorder that records information from a network switch or an encryption module that encrypts the recorded information for storage.

In view of the above, the Examiner is respectfully requested to reconsider and withdraw the rejection of claims 1-14 and 17-22 under 35 U.S.C. 102(b) as being anticipated by Van Oorshot et al.

CONCLUSION

Applicants respectfully assert that all of the pending claims are allowable over the references of record, and requests entry of a Notice of Allowance.

Respectfully submitted,

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